

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: YAN et al.

Art Unit: 1652

Serial No.09/748,127

Examiner: C. Fronda

Filed: December 27, 2000

Atty. Docket: CL000685

For: ISOLATED HUMAN DRUG-
METABOLIZING PROTEINS, NUCLEIC ACID
MOLECULES ENCODING HUMAN DRUG-
METABOLIZING PROTEINS,
AND USES THEREOF

PRELIMINARY AMENDMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

This is in response to the written Restriction Requirement communicated by the Examiner Fronda on January 18, 2002 for the above referenced application.

By way of response, Applicants hereby elect claim group III, claims 4-6, 8-11, and 22-23, directed to nucleic acid molecules, vectors, host cells, etc., for examination and have canceled claims corresponding to the non-elected groups I-II, IV-VII.

However, Applicants respectfully request that the Examiner reconsider the claim division and include claim 13 in the elected group. Specifically, the point of novelty of claim 13 is the nucleic acid molecules of the claim from which it depends, claim 5. The dependent claim 13 provides a specific use (method of detecting a nucleic acid of claim 5) of the subject matter and it is believed that examination of this claim would not unduly burden the Examiner with additional review issues.

In the Claims

Please cancel claims 1-3, 5-7, 10-12, and 14-23 as being directed to non-elected subject matter or being made redundant by way of the amendments below.